

HOUSE BILL 1746

By Turner M

AN ACT to amend Tennessee Code Annotated, Title 63,  
Chapter 6, relative to anatomic pathology services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-6-1202, is amended by deleting the section in its entirety and substituting instead the following:

Section 63-6-1202. A clinical laboratory or physician, located in this state, or in another state, providing anatomic pathology services for patients in this state, shall present or cause to be presented a claim, bill or demand for payment for these services only to the following:

- (1) The patient directly;
- (2) The responsible insurer or other third-party payor;
- (3) The hospital, public health clinic, or nonprofit health clinic ordering such services;
- (4) The referring laboratory, other than a laboratory of a physician's office or group practice that does not perform the professional component of the anatomic pathology service for which such claim, bill, or demand is presented; or
- (5) Governmental agencies or their specified public or private agent, agency, or organization on behalf of the recipient of the services.

SECTION 2. Tennessee Code Annotated, Section 63-6-1203, is amended by deleting word "cytopathology" from the first sentence and substituting instead the words "anatomic pathology".

SECTION 3. Tennessee Code Annotated, Section 63-6-1205, is amended by deleting the word "cytopathology" from the section and substituting instead the words "anatomic pathology".

SECTION 4. Tennessee Code Annotated, Section 63-6-1201, is amended by deleting the current subdivision (1) and substituting instead the following:

(1) "Anatomic pathology" means:

(A) Histopathology or surgical pathology meaning the gross and microscopic examination and histologic processing of organ tissue performed by a physician or under the supervision of a physician:

(B) Cytopathology meaning the microscopic examination of cells from the following:

(i) Fluids;

(ii) Aspirates;

(iii) Washings;

(iv) Brushings; or

(v) Smears, including the Pap test examination performed by a physician or under the supervision of a physician;

(C) Hematology meaning the microscopic evaluation of bone marrow aspirates and biopsies performed by a physician, or under the supervision of a physician, and peripheral blood smears when the attending or treating physician, or technologist requests that a blood smear be reviewed by a pathologist;

(D) Sub-cellular pathology or molecular pathology meaning the assessment of a patient specimen for the detection, localization, measurement, or analysis of one or more protein or nucleic acid targets performed or interpreted by or under supervision of a pathologist; or

(E) Blood-banking services performed by pathologists; and

SECTION 5. Tennessee Code Annotated, Section 63-6-1206, is amended by deleting the section in its entirety and substituting instead the following:

Section 63-6-1206. The provisions of this part do not prohibit billing of a referring laboratory for anatomic pathology services in instances where a sample or samples must be sent to another specialist; provided, for purposes of this section, “referring laboratory” does not include a laboratory of a physician’s office or group practice that does not perform the professional component of the anatomic pathology service involved.

SECTION 6. Tennessee Code Annotated, Section 63-6-1207, is amended by deleting the word “cytopathology” and substituting instead “anatomic pathology”.

SECTION 7. This act shall take effect July 1, 2009, the public welfare requiring it.